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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
12

13 **THE TWO HUNDRED FOR**  
14 **HOMEOWNERSHIP, a California**  
15 **Nonprofit Public Benefit Corporation,**  
16 **ROBERT APODACA, an individual, and**  
**JOSE ANTONIO RAMIREZ, an individual,**

17 Petitioner and Plaintiff,

18 v.

19 **CALIFORNIA AIR RESOURCES BOARD,**  
20 **STEVEN S. CLIFF, in his official capacity,**  
**and DOES 1-25,**

21 Respondents and  
22 Defendants.  
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No. 1:22-cv-01474-KES-BAM

**STIPULATION AND [PROPOSED]  
ORDER RE CONTINUANCE OF  
SCHEDULING CONFERENCE**

Scheduling Conference

Date: December 17, 2024  
Time: 8:30 a.m.  
Courtroom: 8  
Judge: Barbara A. McAuliffe

Trial Date: None set  
Action Filed: November 14, 2022

1 WHEREAS, on March 7, 2023, Respondents filed a motion to dismiss under Rule 12(b) of  
2 the Federal Rules of Civil Procedure with regard to all of the claims asserted by Petitioners  
3 herein;

4 WHEREAS, as of the filing of this stipulation, the Court has not yet ruled on Respondents'  
5 motion to dismiss;

6 WHEREAS, a scheduling conference is currently set in this action for December 17, 2024  
7 at 8:30 a.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe;

8 WHEREAS, the Parties previously have met and conferred regarding the matters to be  
9 discussed at the scheduling conference, including such related matters as the extent to which the  
10 claims asserted by Petitioners might properly be decided based on an administrative record, the  
11 preparation of the administrative record and anticipated timing for completion of the record, the  
12 possible need for discovery on any non-record based claims, and the appropriate timing of such  
13 discovery relative to the Court's decision regarding the record-based claims; and

14 WHEREAS, the Parties agree that they will be in a better position to discuss and reach an  
15 agreement regarding these and other scheduling matters after the Court has ruled on Respondents'  
16 motion to dismiss.

17 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that the  
18 scheduling conference currently set for December 17, 2024 should be continued for a period of  
19 four months, or to the Court's earliest available date thereafter.

20 Dated: December 4, 2024

21 ROB BONTA  
Attorney General of California

22 /s/ John S. Sasaki

23 JOHN S. SASAKI  
24 Deputy Attorney General  
25 *Attorneys for Respondents/Defendants*  
26 *California Air Resources Board et al.*  
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1 Dated: December 4, 2024

HOLLAND & KNIGHT LLP

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3 /s/ Brian C. Bunger (as authorized on  
4 December 4, 2024)

5 BRIAN C. BUNGER  
6 *Attorneys for Petitioners/Plaintiffs The Two  
7 Hundred for Homeownership et al.*

8 **[PROPOSED] ORDER**

9 Based on the foregoing stipulation of the parties, and for good cause shown, the scheduling  
10 conference currently set in the above-captioned action for December 17, 2024 at 8:30 a.m. is  
11 hereby continued to \_\_\_\_\_, 2025, at \_\_\_\_\_.

12 IT IS SO ORDERED.

13  
14 Dated: \_\_\_\_\_

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17 \_\_\_\_\_  
18 HON. BARBARA A. McAULIFFE  
19 UNITED STATES MAGISTRATE JUDGE  
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## CERTIFICATE OF SERVICE

Case Name: **The Two Hundred for Home Ownership, et al. v. California Air Resources Board, et al.** No. **1:22-cv-01474-ADA-BAM**

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I hereby certify that on December 4, 2024, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

### **STIPULATION AND [PROPOSED] ORDER RE CONTINUANCE OF SCHEDULING CONFERENCE**

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on December 4, 2024, at Los Angeles, California.

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John S. Sasaki

Declarant

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/s/ John S. Sasaki

Signature